

IMPLEMENTATION OF TITLE XII

FOR PRESENTATION TO THE  
BOARD ON INTERNATIONAL FOOD AND AGRICULTURAL DEVELOPMENT

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## History of Title XII<sup>1</sup>

The subject of this paper, Title XII, needs to be understood in its historical context. Public Law 87-195, known more familiarly as the Foreign Assistance Act of 1961 (FAA), was a benchmark event in the history of modern development assistance. The persistence of that framework for foreign assistance for another 55 years has been a function of two factors: the wisdom that is incorporated into the provisions of that Act, and the insurmountable political hurdles that persist to writing a completely new authorization bill for the foreign assistance programs of this country. The treatment of agricultural programs, subjected to frequent and periodic amendments to the FAA with all the inconsistencies that result, is not unique in the panoply of development sectors. But it is the subject of this inquiry, and so this paper will focus on the implementation of the sections relevant to agriculture.

The first substantive section (103) of the FAA focusing on development sectors dealt with agriculture, rural development, and nutrition. In aggregate, it was still a farming world in 1961. The path to economic growth had to go through the fields and rural markets, as well as industries, and AID's portfolio reflected that. A broad-based attack on rural poverty is enunciated in Section 103 with descriptions of the wide range of institutions and approaches needed to make a dent in that challenge. Section 103 was amended at the time of adding Title XII in 1975, by inserting Section 103A on the specific topic of "agricultural research," not previously discussed in Section 103. The focus of the amendment was general policy language that research should have the welfare of small farmers as a priority, that the research should be interdisciplinary and intersectoral, and that farmer-based evaluation should be the test of impact, through proactive extension systems to get technology into practice.

A more concrete section of the 1975 legislation consisted of a Title XII to the FAA, comprised of Sections 296-300. The general provisions in Section 296 can be characterized thus: given the long track record of land grant and other eligible universities in US farm productivity, their knowledge should be deployed in agricultural development abroad, particularly with regard to five specific components: the capabilities of US universities to work abroad; research and extension institutions in developing countries; international agricultural research centers; contract research; and research program grants. For implementation, Section 296 stated that USAID "should" involve the Title XII institutions "more extensively in each component," provide mechanisms for them to "participate and advice in the planning, development, implementation, and administration of each component," and also develop "cooperative joint efforts" involving the universities and agricultural research and extension institutions and agencies abroad.

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<sup>1</sup> From the Statement of Work (SOW) for this paper: Review of the history of Title XII, including the FAA of 1961 and subsequent amendments prior to 2000 (Famine Prevention and Freedom From Hunger, P.L. 94-161, December 1975; amendments -- P.L. 95-424, October 1978 and P.L. 96-53, August 1979; as well as the Reorganization Plan No. 2, October 1979) section by section and describe the intended purpose, breadth and responsibilities of all parties as described in the Act and by those who participated in the drafting and negotiation.

The final part of Section 296 defined the term “universities.” [Subsequent sections that defined “farmers” and “agriculture” were almost immediately removed from the statute in an amendment passed in 1978.] The first stakeholders included were the universities that benefited from the First and Second Morrill Acts (1862/1890) as well as the sea-grant colleges designated by the 1966 Act. In 2000, the Native American land-grant colleges identified through the 1994 Act were also included. Section 296 also identified as eligible “other United States colleges and universities which (1) have demonstrable capacity in teaching, research, and extension activities in the agricultural sciences; and (2) can contribute effectively to the attainment of the objective of this title.”

Section 297 provided the President with the authority to use foreign assistance funds to carry out the purposes of Title XII. There is an emphasis in the provisions of this section that the agency funds should be leveraged through partnerships with other federal agencies, with universities and the private sector, as well as nongovernmental organizations.

Section 298 established a standing, Presidentially-appointed Board for International Food and Agricultural Development (BIFAD) “to assist in the administration of the programs authorized by this title.” The Board’s responsibilities were described as covering three areas: (1) participating in the planning, development, and implementation of this title’s programs; (2) initiating recommendations, and (3) monitoring progress. The legislation provided various specific activities as a minimum approach to carrying out the title: (1) participate in the formulation of policies, procedures, and criteria for reviewing and monitoring project proposals; (2) keep a roster of universities that would qualify under the definition of universities in section 296; (3) identify those developing countries likely to benefit from Title XII programs; (4) review documents negotiated between AID and the universities participating in these programs; (5) review documents negotiated between universities and private sector partners for purposes of this title; (6) make recommendations to the AID Administrator on funding of Title XII programs; and (7) assess the performance of Title XII programs. The Board was authorized to create subordinate units, such as the Joint Research Committee and the Joint Committee on Country Programs.

Section 299 authorized the use of Section 103 funds and excess foreign currencies to carry out Title XII programs, and encouraged universities to obtain matching funds from other sources for the programs, with provision that such additional funds could be spent within the context of the negotiated arrangement with AID.

Section 300 provided for an annual report from the Board to the Congress with regard to Title XII activities.

According to those involved in establishing the BIFAD operation, the first principles for effectively contributing to the development mission of the Agency were clear from the start:

- The role of BIFAD was to both “advise” and “assist” the Agency in the purposes of Title XII. This meant, as put into operation during the first decade of its application, that BIFAD and the land-grant universities provided a privileged kind of assistance to the Agency, where it was expected that each stage of the Title XII activities would involve some kind of discussions and joint decision-making.
- Two subsidiary committees were created in the earliest days, one focused on the science and the other focused on operations.

- The Board had direct, open access to the Administrator, and the Administrator expected to participate in each meeting of such distinguished Presidential appointees. This provided the highest- level endorsement of the purposes of Title XII.
- The BIFAD staff and subsidiary committees worked even more closely with the regional Assistant Administrators and staff than with the central bureaus, and participated in the annual regional meetings of mission directors in order to be of maximum assistance to the mission programs.
- The land-grant universities, through the BIFAD office, were able to provide significant scientific leadership and intellectual stimulus to the Agency through seminars presented by distinguished scientists and visits to Missions for informal consultations.
- These activities were possible only if the BIFAD office was adequately staffed, generally at six FTEs or more.

An attempt to reduce the confusion among Agency and the universities about Title XII operations emerged first in a statement of principles issued by NASULGC in 1979, where the nine principles dealt with the *a priori* capabilities that universities should have before attempting to participate in such activities, and then processes that should be in place to maintain the highest quality programs, or as the document says, “to perform professionally in ways most likely to lead to success abroad.”<sup>2</sup>

The question of Title XII management, however, may have been addressed most clearly in the Agency’s Policy Directive in 1982, based on a 1981 Joint Resolution signed by the Administrator and the Chairman of BIFAD.<sup>3</sup> It is worthwhile citing some of the most salient provisions of the Policy which is the most explicit policy adopted by the Agency on Title XII:

- The primary objective of Title XII is the “development of the LDC capacity for research, education, and/or extension, the training of participants, the conduct of research, the building or strengthening of related institutional infrastructure, and/or the provision of university advisors to development projects, all in agriculture, nutrition, agriforestry or close-related fields.” The central context for this objective is the need to increase world food production, and to enhance the “application of science to solving food and nutrition problems of the developing countries.”

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<sup>2</sup> Statement of Principles for Effective Participation of Colleges and Universities in International Development Activities, NASULGC Executive Committee, February 13, 1979.

<sup>3</sup> USAID, Policy Directive on Title XII, 1982, based on a Joint Statement of May 20/26, 1981. This policy, in a modestly simplified format but including almost exactly the same terminology, was incorporated into the Agency’s Handbook 01 Policy Paper on Higher Education Community Partnership, issued on 9/13/ 1996, and then re-issued as part of the ADS Chapter 216.3.9 on the same topic, on 4/9/2002. In the latter case, the focus of Title XII was still to “foster the application of more effective agricultural sciences to the goal of increasing world food production and rural development and encourages the provision of increased and longer-term support for the application of science to solving food and nutrition problems of developing countries.”

- Title XII activities are to be implemented through a wide variety of instruments, whether contracts, cooperative agreements, or grants, and could involve a single university, any combination of universities, other federal agencies, or agribusiness and non-profit organizations.
- Title XII resources can be mixed with non-Title XII resources as appropriate to the activity in question, and management will be determined ad hoc, probably in response to the institution managing the largest resources. The CRSPs were identified as a separate initiative, with their own structure.
- The BIFAD support staff was located in the Office of the Administrator, managing an office of dedicated staff members with a focus on “efforts on the identification and recommendation of the best mix of university resources for individual Agency projects.”

In the years between the original 1975 FAA amendment creating Title XII and the end of the century, some relatively minor changes were made in the Title. In addition, Reorganization Plan No. 2 of 1979, that created the International Development Cooperation Agency, caused some shifting of formal authority, all of which was undone by legislation in 1998 that removed IDCA from the statute. A much more important shift in the Title XII authority came with the Famine Prevention and Freedom from Hunger Improvement Act of 2000.

#### Review of the 2000 amendment of Title XII.<sup>4</sup>

The drafters of the Act in 2000 intended to modernize the provisions of Title XII. Changes were made throughout the title. The policy language of section 296, for instance, was broadened well beyond agricultural production to include the impacts of food production and consumption on both the individual and the nation. It included concepts of food safety and food supply security, as well as food marketing. It identified the interrelationships between agriculture and the programs sometimes managed elsewhere, such as health, nutrition, child survival, and energy. It also introduced issues of environmental sustainability, natural resource management, and climate change into section 296.

In section 296(b), various elements were removed that had been in the traditional legislation, e.g., “strengthening the capabilities of universities to assist in increasing agricultural production in developing countries”, and instead provided a more expansive list of components necessary to achieve a coordinated program. New language was introduced into section 296 to highlight the need for better collaboration and coordination of agricultural and natural resource development efforts by, among others, the CGIAR centers, international research networks, contract and collaborative research led by US universities, multilateral development banks, public and private trade and development organizations, and extension programs.

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<sup>4</sup> From the SOW: Famine Prevention and Freedom From Hunger Improvement Act of 2000, P.L. 106-373, and describe the changes that were made to the earlier Act in this amendment with a focus on amendments to purpose, breadth and responsibilities of all parties.

The scope of programs covered by Title XII was expanded, through two important provisions governing the definition of “agriculture” and “agriculturists.” The former was described as including “the science and practice of activity related to food, feed, and fiber production, processing, marketing, distribution, utilization, and trade, and also includes family and consuming sciences, nutrition, food science and engineering, agricultural economics and other social sciences, forestry, wildlife, fisheries, aquaculture, floraculture, veterinary medicine, and other environment and natural resources sciences.” [section 296(g)]. The latter term was interpreted in an equally expansive fashion, to include “farmers, herders, and livestock producers, individuals who fish and others employed in cultivating and harvesting food resources from salt and fresh waters, individuals who cultivate trees and shrubs and harvest nontimber forest products, as well as the processors, managers, teachers, extension specialists, researchers, policymakers, and others who are engaged in the food, feed, and fiber system and its relationships to natural resources.” [section 296(h)].

In section 297, the scope was expanded in para (a) (3) from the old language that simply supported “long-term collaborative research programs” to a provision that reads “to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public.” The amendment also expanded the scope of para (b)(3) to cover existing programs not just in USDA and Commerce, as in the old language, but to cover many different federal agencies, along with NGOs and for-profit entities. Here the key language was “public and private partners of universities in the United States and other countries.”

At the end of section 297, a provision was added to instruct the Administrator to establish “special programs” under Title XII as part of ongoing programs in child survival, democratization, development of free enterprise, environmental and natural resource management, and other related programs – the other, frequently earmarked, sections of the Development Assistance programs not traditionally open for Title XII programs.

The mandate of BIFAD, as interpreted in section 298, received changes comparable to the language in section 296. The focus of their work, instead of being to “increase food production,” was expanded to “improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries.” [section 298 (c)(2)(B)] In addition, it was given three expansive mandates with regard to information gathering, resolution of implementation issues under Title XII, and advising the Administrator:

- (8) Developing information exchanges and consulting regularly with nongovernmental organizations, consumer groups, producers, agribusinesses and associations, agricultural cooperatives and commodity groups, state departments of agriculture, state agricultural research and extension agencies, and academic institutions;
- (9) Investigating and resolving issues concerning implementation of this Title as

requested by universities; and  
(10) Advising the Administrator on any and all issues as requested.

Finally, the President “may authorize” the creation of subcommittees by BIFAD, including the idea of a Joint Operations Committee to handle day-to-day implementation issues.

#### Intent of those involved in the 2000 Title XII legislation<sup>5</sup>

Many different people associated with BIFAD, and the AID agriculture/natural resource programs had pointed out for years the anachronistic language in Title XII. The Clinton Administration was reluctant to nominate anyone to serve on BIFAD for the first half of the Administration. They saw no added value from such a Board. Even with the decision to resume appointments to the Board, BIFAD’s role in the Agency’s programming remained at best unclear, at worst irrelevant. Thus, when the proposal from the land-grant community was made to modernize the provisions of Title XII, there was a considerable amount of nodding in agreement from all quarters that it would be a good idea.

Agency participation in that process was informal in nature. Officials of AID and the Administration outside EGAT became aware of the draft legislation well into the process, and concluded it would be too late to go through the required levels of approval in OMB and elsewhere, suggesting instead that informal participation would be much preferable. As a result, a few senior Agency officials entered into dialogues with Congressional staff and outside sponsors that enabled them to be satisfied with the legislative outcome. With passage by the House and Senate – incidentally, without a single public hearing – the President was agreeable to signing what looked like a piece of legislative housecleaning.

The substantive intentions of all those involved are reasonably clear:

- To recognize the broadened relevance of food and agriculture in all countries, especially with rapid urbanization occurring;
- To foster research that reaches across disciplines, just as farmers’ lives do;
- To integrate the development factors that run from farm, to market, to consumer, and the overall political and social systems that harmonize them;
- To encourage stronger collaboration among the various sectors that make development happen: government, universities, non-profit and for-profit entities;
- To restore research and extension as major focal emphases in Agency programming;

It is true that other agendas were at work in the bargaining process over the 2000 legislation. For some at the Agency, the relationships with the research community had

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<sup>5</sup> From the SOW: Results of interview with key individuals who were instrumental and/or drafters of the 2000 Title XII legislation regarding the rationale for its drafting and the intent of the amendment

been “fossilized” by the existence of BIFAD and the CRSP structure. At a time when AID was under the gun of the GPRA legislation, and the life-cycle of new approved projects was around 2-3 years, the long-term efforts institutionalized by the CRSPs were simply out of step. From the point of view of Agency-wide targets, the CRSPs were doomed to fail by the established measures, and so some Agency officers saw reform of the legislation as a way of introducing enough flexibility to shift towards the dominant paradigm. There were also Agency staff who wanted to bring into Title XII a greater role for the non-university partners; even if they were included in the original awards, it seemed that they were involved in relatively few of the ultimate activities carried out by a CRSP.

The reluctance of Agency management to be tied down to the BIFAD “system” was evident in the draft CRSP Guidelines developed in August 2000. The first page has a disclaimer that reads, “These guidelines are advisory in nature, and are intended to assist agency employees and U.S. institutional partners in implementing the Collaborative Research Support Program (CRSP). Those implementing a CRSP are strongly encouraged to review and consider these guidelines, but are not required to follow them, and are not violating agency policy when not adhering to them. These guidelines create no legal rights and impose no legal duties.”

Further in the same Guidelines, we are provided with a schematic understanding of the relationship among the various entities with regard to the CRSPs:

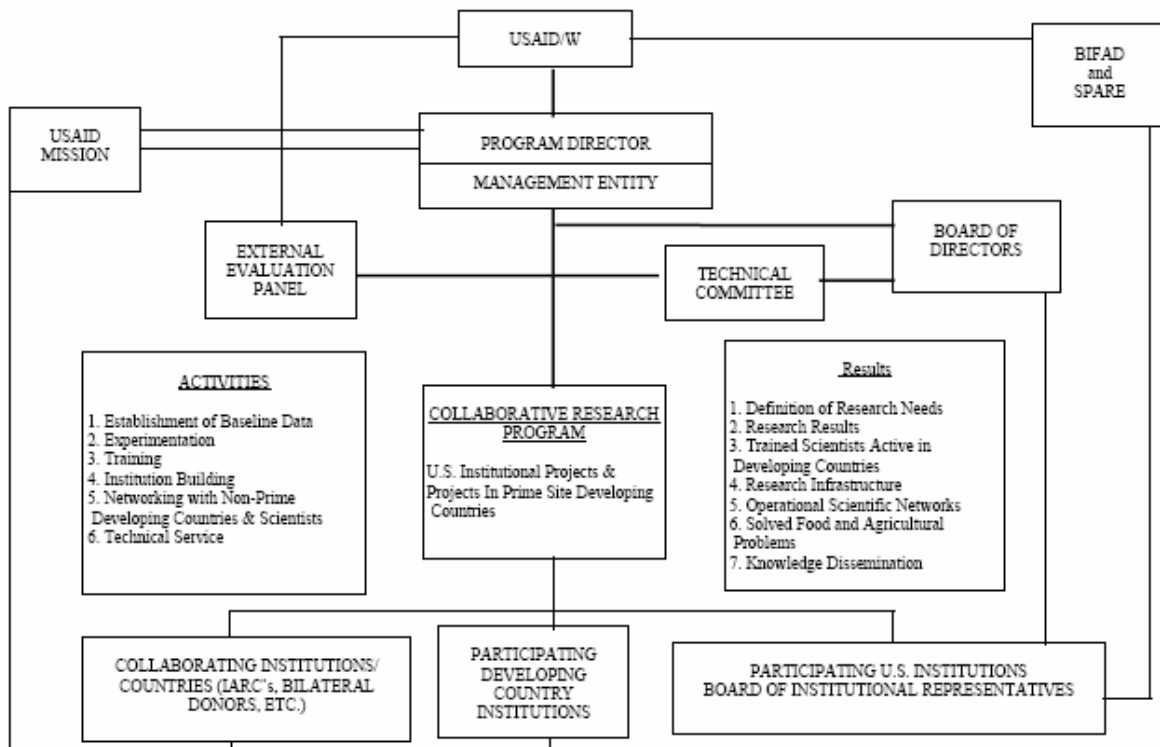


Figure 1: ORGANIZATION, ACTIVITIES AND OUTPUTS OF A TYPICAL CRSP



For some of the land-grant universities, the problem to be remedied was the unilateralism expressed by the Agency during the 1990s. Not only had BIFAD not been appointed for four years, but there was also the dispute over the creation of the BASIS CRSP. Thus it seemed important to push the pendulum defining the “partnership” back in the other direction, at least in reasserting the legitimacy of the Title XII framework by amending legislation.

As a result of these various agendas, the legislation took what amounted to a first step -- amendments focusing on a common vision as to what the various parties to Title XII should be accomplishing. The amendments said very little about how to accomplish the vision, since there were many different views on that question, and if addressed frontally, no amendment at all would have passed.

Less than two years after that legislation, on April 9, 2002, USAID issued mandatory policy guidance, as part of its Automated Directives System, on USAID-Higher Education Community Partnership, that stated:

### **216.3.9 Title XII**

*Title XII is part of the foreign assistance legislation, which, in part, fosters the application of more effective agricultural sciences to the goal of increasing world food production and rural development and encourages the provision of increased and longer-term support for the application of science to solving food and nutrition problems of developing countries. The legislation, which is consistent with USAID's food security objectives, encourages the engagement of U.S. land grant and public universities and colleges in the Agency's efforts when appropriate to the demand. It is the Agency's policy that USAID must carry out Title XII, "Famine Prevention and Freedom from Hunger," of the Foreign Assistance Act of 1961, as amended, which states that the principles of the "land grant model" will be used for improving food production and agricultural development. Title XII activities must be carried out, insofar as possible and appropriate, by Title XII institutions, with any additional non-Title XII resources as may be needed, under sub-agreements. Missions must identify Title XII activities at an early stage in the development of a planned results framework.*

*a. Results frameworks or contracts or grants within such packages that qualify as Title XII activities are those which have as a primary strategic objective the development of the cooperating country capacity for research, education and/or extension; the training of participants; the conduct of research; the building or strengthening of related institutional infrastructure; and/or the provision of university advisors to development projects, all in agriculture, aquaculture, nutrition, agroforestry or closely-related fields.*

*b. A Title XII activity is implemented through a contract, cooperative agreement, or grant. It may involve a single university/college, a cluster of universities/colleges or a mixture of universities/colleges and the U.S. Department of Agriculture (USDA) or the National Oceanic and Atmospheric Administration (NOAA), and/or an agribusiness or non-profit firm, to the extent that their own personnel are required for the activity. There may be*

*exceptional circumstances when a non-Title XII resource, with special capabilities, is chosen to implement what by subject-matter definition might otherwise be classified as a Title XII activity. A Title XII activity may be a stand-alone activity or a component of a broader activity. In this case, the remainder of the activity - the non-Title XII components - might consist of contracts, grants, or commodities, for example, and would not be included as a Title XII listing.*

*c. Legislatively mandated within Title XII, the Board for International Food and Agricultural Development (BIFAD) has as its primary mission to advise and assist the Administrator of USAID with regard to programs and activities relating to agriculture and food security as set forth in Title XII of Chapter 1 of Part I of the Foreign Assistance Act of 1961, as amended. In discharging its duties, the Board will*

- Consult with, provide information to, and furnish advice to the Administrator of the U.S. Agency for International Development on all aspects of programs included under Title XII and on such other matters as directed by the Administrator;*
- Provide universities/colleges with information on USAID programs and activities that may be of interest to the university community; and*
- Participate (on a selective basis) in the development and implementation of USAID policies that affect programs and projects in which U.S. universities/colleges are or could be involved.*

*d. BIFAD staff along with assigned USAID staff will be responsible for monitoring the process of identifying Title XII related packages and activities.*

It can be presumed that, given the recent adoption of this policy language, that it reflects the view of the Agency's leadership in light of the 2000 language of the amendment.

#### The Views of Land-Grant Universities<sup>6</sup>

There are many different views of Title XII among the land-grant university institutions. It is best not to imagine a single, monolithic perception of Title XII, since it doesn't exist. Each person's view reflects their own partial experience with AID and Title XII. A full sample of opinion could not be done in the time frame available.

Nevertheless, a sampling of views may be useful in providing the breadth of perspectives that exist in the community today and need to be understood in the context of

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<sup>6</sup> From the SOW: Rapid appraisal of at least five directors of International Agriculture Programs at land-grant universities that USAID has funded within the last 10 years and solicit their interpretation of Title XII. Include CRSP universities with management entities and non-CRSP universities in the appraisal. The analysis should elicit their expectations about the responsibilities of each party (BIFAD, USAID, and the U.S. university community) for the implementation of Title XII. Elicit their thoughts on what is working and what actions are needed by each party to strengthen the implementation of Title XII.

bringing everyone's interpretation of Title XII under a common tent. In no particular order, these are some of the opinions:

- The good news is that most interviewees from land-grant universities believe that the current CRSPs are working very well, in terms of the impact intended by legislation.
- At the same time, the processes for decision-making in BIFAD, SPARE, and the Agency are not perceived as consistent either with the Federal Advisory Committee Act or the spirit of a co-managed partnership in the Title XII legislation. An example would be the recent move by the Agency to shift from a grant arrangement with MEs to that of a cooperative agreement, allowing for greater continuing involvement by Agency staff. As one interviewee said, "The question for the CRSP programs has been and is the whole issue of substantive involvement. The CTO officers do not have the time or expertise to exercise substantive involvement in the management of a research program like the CRSP. It is my opinion that USAID/EGAT has not really worked in good faith with the SPARE Committee and BIFAD on this issue."
- The 2000 amendment of Title XII included references to trade expansion, which meant for the land-grant community that there would be active outreach to the US agricultural community interesting in expanding its presence abroad.
- The decision-making allotted to the land-grant universities, whether as a group expression in the BIFAD structure, or individually through the CRSP Management Entities, is not being allowed to occur, and the intention of some Agency staff appears to be to reduce that further. As part of this concern, there are objections to the use of RFPs to select Management Entities instead of a review process led by BIFAD/SPARE.
- The influence of the CRSP Council, even though not provided for in Title XII, needs to be augmented to counter-balance these moves by the Agency. This could be seen as way of resurrecting the role of the "operations committee" structure that existed in earlier decades.
- The current arrangement allows for essentially no new major areas of endeavor; a recent example is the struggle over the place of water research in the work of the CRSPs and the Agency. While the limitation of funding for the CRSPs is the ostensible reason for not creating a new dedicated Water CRSP, there is also a counter-proposal to incorporate water and similar "cross-cutting issues" into the more traditional crop production CRSPs. In any case, there is too little of the kind of consultation between the Agency and the research community on new ideas such as this.
- The application of competitive bidding to the CRSPs could be taken as discriminating against the land-grant universities, since other awards in agriculture are made on a non-competitive basis (e.g., IARCs).
- The ongoing weakening of the technical capacity among Agency staff leaves them in a reduced position to argue for stronger roles for staff in the CRSP decision-making on research programs.
- There should be equally strong scientific peer review systems in place for all agricultural/natural resource research supported by the Agency.

- The status of BIFAD recommendations made to the Agency is unclear; can they simply be ignored?
- The status of “Guidelines,” such as those drafted by the Agency in 2005, is unclear, and their compliance with the statutory basis of Title XII is not obvious. Do the Guidelines replace policy statements made in the past, or are they procedural only? If the latter, they may undermine the current policy on the books.
- Legislation and policy statements regarding Title XII programs refer to them as being long-term, consistent with the time frame required for results of research and capacity building programs. But the Agency seems to be designing their research programs in line with the usual government short-term goals in mind, rather than the longer time frame envisioned in Title XII.
- The relationship of the annual Title XII report from the Agency to Congress to the actual work carried out by BIFAD and in compliance with the legislation is unclear. In some ways, the report goes well beyond any discrete category of “Title XII programs,” and on the other hand, it provides relatively little detail about actual implementation of the Title XII process.
- Funding for the IARCs should also be carried out through US universities.
- The implementation of health/child survival programs identified in section 297(e) through Title XII does not appear to be happening. No reports have yet appeared that identify Title XII activities in those sectors.
- The Agency gives the appearance of marginalizing BIFAD, through staffing, through the expectation that it is “advisory,” rather than “participative.” The Board also meets remarkably infrequently.
- The BIFAD has never developed and updated the roster of institutions called for in section 298 (c) to carry out the activities under Title XII. If that were to happen, the Administrator would confine the Title XII report to reporting the work of those institutions.
- There has been a serious weakening in the BIFAD structure that there is now no “operational committee.” At one time, JCARD appears to have carried out those functions, but it is clear that SPARE does not do that now.
- The Agency fails to understand the importance of the “dual goals” in the legislation; while the first priority is to foster agricultural development in developing countries through research, it is also important to encourage the capacity and constituency in the US that will support these activities of the Agency. For that reason, money invested in Management Entities in the US to support this work is not a waste of resources.

### The Views of Non-Land Grant Universities and Private Partners<sup>7</sup>

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<sup>7</sup> From the SOW: Rapid appraisal of at least five non-land grant universities and other public and private partners of universities to gain their perspective on Title XII and its implementation. Explore their expectations with regard to Title XII. Elicit their thoughts on what is working and what actions are needed by each party (BIFAD, USAID, and the U.S. university community) to strengthen the implementation of Title XII.

There is an equal variety of views from the non-land grant institutions to be gathered on the issues under consideration here:

- An essential purpose of the CRSPs – to building research capacity in developing countries and sustain network ties – is carried out quite well by the CRSPs.
- Compared with non-CRSP projects overseas, the CRSPs can be very bureaucratic and consume unnecessary time/resources. At the same time, where bureaucracy is inevitable, such as obtaining visas or exchanging scientific materials, the CRSP management units can be quite helpful.
- There is a good deal of collaboration across CRSPs and then with CRSPs and other institutions. This should be evaluated and developed as good practices for future management of the CRSPs.
- USAID host country missions don't seem to have a great connection to the CRSPs. “We probably had more impact on local NGOs and World Bank funded projects than USAID projects.” USAID is doing too little to lay the necessary groundwork for buy-in from country missions.
- Some CRSP projects have too many partners – resulting in a dispersion of the available funds in almost trivial amounts, but participants are told that such sharing is a requirement of the program.
- BIFAD should do more to promote, facilitate, and encourage close collaboration with the private sector, NGOs and non-AID development agencies.
- The training part is a strong piece of the CRSP programs. “One thing I did note with the PhD training is that it is awfully hard to get the talented African students through the US PhD programs.”
- Many interviewees focused on what they saw as major contributions to training of human resources, to the improvement of institutional infrastructure and resources as well as solving/addressing production constraints.
- The CRSP activities are contributing significantly to the networking of scientists in the region and globally. This is a major contribution as it always facilitates the exchange of ideas and materials among scientists in the region for a cost-effective collaboration on activities of mutual interest.
- Collaborating US scientists are also benefiting greatly from the CRSP collaborations with host country scientists, research on production constraints, germplasm availability, etc., which is reflected in the improved teaching and research contributions of these scientists.

### The Views of USAID Staff<sup>8</sup>

The range of perspectives on the BIFAD and Title XII structure among current and former Agency staff is, if anything, even broader and more varied than among the

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<sup>8</sup> From the SOW: Views of a range of current and former USAID staff knowledgeable of the Act as amended to gain their perspectives on Title XII. At least five USAID staff, one of which must be from the Agency's Office of the General Counsel will be interviewed. Determine their expectations regarding the responsibilities of each party in the implementation of Title XII. Elicit their thoughts on what is working and what actions are needed by each party to strengthen the implementation of Title XII.

universities. For various reasons, relating to history, focus on responsibility, and current budget issues, the staff suggestions for resolving the role of Title XII in the Agency programming take many different pragmatic directions. Here again, only a sampling of ideas is possible:

- The pattern established by past CRSP awards of the last 25 years, especially with regard to the allocation of responsibility and the extent of participation by all parties, may not yield the optimal development outcomes for scarce resources devoted to research.
- Contrary to some assertions by land-grant universities, the purpose of Title XII is not to strengthen US agriculture, since it employs DA resources which by other statutory provision have to be spent purely on developing country needs. Rather, the focus of Title XII needs to be on food and agriculture in developing countries, and especially capacity-building there, with any benefits for the US, either institutionally or in research outcomes, as an incidental benefit (to be “taken into account,” not as a dual goal of the program). An illustration of this difference with the land-grants can be derived from the insertion of “trade expansion” into the 2000 Amendment. In meeting this provision, Agency staff cite the 2004 Agricultural Strategy, and its first strategic theme – to expand opportunities for developing countries to increase their exports of higher-value nutritious foods. On the other hand, some Agency officers take the opposite point of view, believing that the demonstration of reciprocal benefits to the US directly will enhance the political attractiveness of the Title in the quest for annual funding. In fact, the “duality of purpose” was most clearly enunciated in the draft AID Guidelines for CRSPs developed in 2000: “U.S. funds for foreign assistance are to aid the people of developing countries, and USAID is mandated to use its resources for this intended purpose. However, Title XII provides for a departure from this rule by mandating a dual goal for long-term agricultural research to solve problems in the developing nations and at the same time to provide benefits to U.S. agriculture. For this purpose, Section 297(b) of Title XII provides that “programs under this title shall be carried out so as to ... (2) take into account the value to United States agriculture of such programs, integrating to the extent practicable the programs and financing authorized under this title with those supported by other federal or state resources so as to maximize the contributions to development of agriculture in the United States and in developing nations.” Since most nonfederal funds made available to U.S. agricultural universities must be focused on solutions to domestic problems, this duality of purpose is a key part of the collaborative process.”<sup>9</sup>
- The processes associated with external peer review of individual programs, as well as system-wide assessments, need to be strengthened to remove any appearance of conflict of interest. This would affect the roles of BIFAD, of SPARE, of potential external reviewers, and of the Management Entities.
- The Title XII structure has become top-heavy over time, with excessive resources (now estimated at 25%) of the Title XII programs devoted to oversight and management. While this may be a result of a decline in the overall funding for such

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<sup>9</sup> Guidelines, 2000, p. 15.

programs, it would seem to require an adjustment, as in the private sector, to a comparable decline in management costs, in order to maximize delivery of research and support to the “customer” in developing countries. Assuming that DA resources will remain tight, a priority would seem to be to streamline the Management Entities – if they should exist at all – to maximize resources in the field.

- In line with the direction of USAID mission programs, Title XII needs to focus more on social and behavioral sciences instead of the traditional crop production orientation. And within the Agency, there is division over whether that should occur in a separate research CRSP or CRSP-like structure, or included as a cross-cutting theme in many of the re-competed CRSPs.
- The role of developing country scientists and institutions in the Title XII process is much too weak. One sign of success in the overall program has been the increased capacity of those in the developing countries to identify their own needs and priorities for research in agricultural-related fields. It thus seems odd that Guidelines being written in 2006 would not have a stronger place established for those in developing countries supposed to be at the center of this development sector. Would it be possible to build into the BIFAD structure, perhaps even membership on SPARE, a place for scientists from developing countries?
- While some universities express concern over the Agency’s so-called “grab for control,” in fact the reverse is the problem. Once a CRSP has been awarded, the Management Entity has virtually total autonomy, and an effective entitlement generally good for ten years. While the Agency retains a seat on the particular CRSP governing board, the one vote has little meaning and the Agency’s experience is that staff are routinely ignored.
- BIFAD needs to look at the management practices of the CRSPs. While most of the CRSPs are designed to include a range of institutions, drawing from the best of land-grants, non-land-grants, and the private sector, the actual practice when programs are carried out is to favor proposals and capacity at the Management Entity institution. This creates, at a minimum, a perception of conflicts of interest in the decisions on topics, awards, and allocation of resources. It would be instructive to do a comparative analysis of the actual flows of programs and activities outside the managing institution during the life of a CRSP. As an extreme measure, the institutions serving as Management Entities could be disqualified from carrying out sub-projects of a particular CRSP program.

#### The Views of BIFAD and SPARE Members<sup>10</sup>

Members are concerned about the effectiveness of their work. In some ways, the problems are attributed to weaknesses in current institutional relationships. In others, it is a

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<sup>10</sup> From the SOW: Rapid appraisal of at least three of the BIFAD and three non-Agency SPARE members to gain their perspective on Title XII and its implementation. Identify expectations. Elicit their thoughts on what is working and what actions are needed by each party (BIFAD, USAID, and the U.S. university community) to strengthen the implementation of Title XII.

matter of the weak commitment of the US foreign assistance program to agricultural research – ironically, at a time of rapidly climbing resource levels overall for development activities abroad. Some of the points made include:

- So long as the money for agricultural research keeps shrinking, the university community will want to treat Title XII as their last entitlement.
- The Agency has effectively been denied any of the decision making autonomy it needs (to reduce the number of CRSPs, or to conduct serious evaluations, or to link funding levels to those evaluations). If the result is a further proliferation of under-funded programs, then research quality will continue to fall.
- The mutuality of the partnership between the Agency and the universities has to be enhanced for Title XII to succeed. It may be essential to find another respected “voice” to participate, e.g., a senior agricultural research advisor for the Agency.
- The universities may need do a better job of keeping their scientists focused on the Agency tasks at hand – whether through more rigorous annual reporting, clearer statement of outcomes, etc.

### Differences in Expectations<sup>11</sup>

Categorizing the differences in expectations is not an easy task. In some areas, the various parties to Title XII don’t even use the same vocabulary, or in other case, use the same words but mean something different.

- Vision. All stakeholders share the vision of ensuring food security for all peoples in AID-assisted countries. Some participants would expand the vision to include assistance to US agriculture and to the capacity of US institutions.
- Strategy. The strategy for fulfilling that vision has largely evolved over time from the first enactment of Title XII in 1975. There is broad agreement about the wide range of key ingredients for that kind of security, including food production, household income, marketing, processing, adequate nutrition, and so forth. There is no visible dissent from the USAID Agriculture Strategy issued in July 2004, as a programmatic rationale for inclusion of agriculture as a focal point in Agency and Mission planning. At the same time, the document has been described by Agency staff as providing little proactive guidance for Missions making decisions about whether to include a food security focus or how to design it; rather, the Strategy is most useful in providing language to describe programmatic elements that have already been set in a broader context. Some stakeholders in the land-grant universities believe that the Agriculture Strategy treats the value of research inadequately and they would expect an Agency strategy to reflect all authorization legislation relating to a topic. Agency legal counsel strongly disagrees, believing that the Administrator has broad authority to emphasize whatever elements he wishes for specific strategies, so long as they are allowed by the FAA.

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<sup>11</sup> From the SOW: Identify any differences in expectations between the results of the rapid appraisals completed under Points through 7 of this SOW.



- Policy. The purpose of Agency policy is to establish fixed norms for Agency staff as to what they must or must not do in the course of fulfilling the purposes of Agency strategies. Generally speaking, the role of “policy” in Agency life has declined over the last 30 years. The fact that a separate, explicit policy (PD 4) for Title XII was signed in the early 1980s, and still exists seems to cause little discussion either inside or outside the Agency. Much of the earlier policy was incorporated into the mandatory policy on the USAID-Higher Education Community Partnership, now included in ADS 200.<sup>12</sup> In addition, PD 4 never disappeared, and in the crafting of the Automated Directive System to replace the Handbooks, this 1982 policy was simply downgraded from a “mandatory” category to a category titled “additional help.”<sup>13</sup> While PD 4 is, in effect, seen by the Agency’s legal counsel as overridden by the mandatory policy elements, which emphasize the need to compete contracts, to get maximum value for program dollars, and to eliminate vested interests, in fact the mandatory nature lives on in the separate policy on higher education. At the end of the day, however, it was unclear as to how policy, whether mandatory or not, would be enforced to ensure compliance.
- Status of BIFAD and Associated Bodies in Federal Agency Law and Practice. Considerable confusion exists among all parties about the status of the entities that have been created through Title XII. BIFAD clearly comes under the Federal Advisory Committee Act for those activities it undertakes to “advise” the Agency; but for some people, the fact that it is charged with also “assisting” the Agency, in the language of Title XII, is tantamount to establishing a right to participate in the programming process of Agency bureaus and missions. It is clear that, while the practice in the first decade of the life of Title XII was to create an arm-in-arm partnership between the Agency and the land-grant universities on agricultural research, the Agency and land-grants now take quite different positions. The Agency, insofar as a view emerges from interviews, believes that the land-grant and BIFAD roles as “assisting” the Agency is the same as any other contractor – that the decisions need to be fully in the hands of Agency staff, with input from the land-grant universities taken under advisement. It should be noted, however, that such a view is not one formally expressed by the policy leadership – it reflects the common practice of those executing the program. The situation is also complicated by the existence of SPARE, which, according to Agency legal counsel, is not a FACA body, but instead exists to advise BIFAD and therefore can operate according to whatever rules BIFAD establishes.
- Programming. The most frequently-cited elements of disagreement appear when it comes to actual programming, and the significance of the term “partnership.” For most AID staff officers, the application of partnership in the case of the land-grant universities is that the latter are valuable implementers of decisions by AID to carry out a task set by the Agency staff. The universities are seen as bringing important knowledge and skills to various development tasks. The land-grant community sees

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<sup>12</sup> [http://www.usaid.gov/policy/ads/200/higher\\_ed/highed.pdf](http://www.usaid.gov/policy/ads/200/higher_ed/highed.pdf).

<sup>13</sup> <http://www.usaid.gov/policy/ads/200/200.pdf>, p. 28.

a partnership as embodying mutually defined goals, strategies, monitoring and implementation. These differences play out in each specific sub-issue:

- The use of the Title XII mechanism for carrying out projects. For the Agency, this is an option, and one is rarely used today. It occurs today primarily in response to Congressional directives. Even for those operations formally designated as Title XII in nature, the Agency sometimes chooses to follow guidance other than Title XII in the decision-making process.
- Role of research in AID agricultural programs. Agency staff have been under pressure since the passage of the Government Performance and Results Act in 1993 to shorten the time frame of measurable outcomes from government investments. Research is not favored in that environment, as can be attested by any government agency funding research. The university community believes that countervailing provisions of Agency policy and the FAA allows decisionmakers to override the GPRA criteria.
- Role of the management entities (ME) in Agency research programs. The program staff at AID consistently fault the cost structure of the CRSP MEs, as an unnecessary diversion of scarce Development Assistance to non-development outcomes. The staff cite contrasting cost structures for non-CRSP contractors as having management costs significantly lower. The universities defend the scale and scope of the MEs on several grounds: that they create long-term linkages with private and public sector partners for the benefit of AID programming, and that they embody the accumulation of knowledge and skills that can only help the immediate needs of AID missions and countries.
- Dual benefits of programs for both the US and developing countries. In the 2000 legislation, the land-grant universities made a special point to strengthen the language that the benefits of Title XII programs should be as much for US agriculture as for developing country agriculture. Agency staff do not operationalize this goal in their current program descriptions, for instance, omitting the US benefit technical criterion from recent CRSP RFAs. In fact, some Agency staff believe that such a concept is overridden by the broader mandate of Development Assistance to focus on the benefits to developing countries, and that they would be penalized in claiming impact and outcomes within the US as a result of investment of AID program funds.
- The need for long-term investments in agriculture. Consistent with the pressures from GPRA, the Agency has reduced the duration of new projects, and downgraded the role of research with its longer-term outcomes. This has occurred despite the insights in the 2002 AID report, *Foreign Aid in the National Interest*: “Producing new knowledge about development through research and project activities. Policy dialogue and knowledge generation should be seen as mirror images that require coordinated, integrated support over long periods.”<sup>14</sup> The universities agree with the words, but find the actual program decisions failing to implement the idea. The actual shortening of project duration, which all agree has happened bothers the universities: that it contravenes the language of Title XII to provide the

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<sup>14</sup> USAID, *Foreign Aid in the National Interest*, 2002, p. 14.

universities and their partners of a “dependable source of funding,” and that it forces re-competition before adequate results can be obtained. The dispute over five-year grants for CRSPs before re-competition characterizes this disagreement. There may be a difference of views among all parties in terms of the differentiated impact on natural sciences vs. social sciences.

#### Options for Actions by BIFAD, USAID, and the U.S. Land-Grant University Community

Despite the revisions of the FAA in 2000, it is not clear that Title XII is any more viable in the 21<sup>st</sup> century than it was before the amendments. Consider the key elements that comprise the Title:

- **Development Content:** With the broadening of the language, is it clearer or vaguer in terms of the mandate? Put another way, the drafters may not have done Title XII any favor by throwing in more sectors as relevant to its goals. The boundaries of the subject matter are now much more inclusive, and in the process, the possible indicators against which to hold Title XII accountable have expanded exponentially. Are the parties to Title XII prepared to address that question?
- **Institutions:** With this expanded mandate, it may be less likely that the land-grant universities can identify their unique capabilities to carry out the purposes of Title XII. What institutions (academic, private, or otherwise) would be excluded from qualification under section 298(c) to establish a roster capable of contributing to the expanded purposes of the Title? This problem is evident in the Title XII report provided to Congress, which has lost its focus on activities administered through Title XII or by Title XII institutions to include any and all agriculture/nutrition activities across the entire agency.
- **Funding:** The value of Title XII in the authorizing legislation to create a dependable source of long-term funding for research is limited. The FAA is not treated as a guide to USAID mission program decisions scattered around the world. Indeed, even when converted into sections of the ADS, rarely is reference made to those provisions. The field-based decision-making at AID in the current age holds out diminishing prospects for the CRSP-like structures designed for an earlier era. The federal budget’s shrinking allocation for “discretionary spending,” along with the incursions of earmarks and directives on the Development Assistance budget, provide even less cheer for those seeking long-term financial commitments.
- **The Dual Benefit Argument:** Increasing the appeal to US agricultural interests, as a way of shoring up support for food security programming at AID, faces obvious difficulties. The total investment, current or foreseeable, by AID in this research is dwarfed by the programs supported by USDA and the state research systems. All stakeholders seem to recognize the indirect mutual benefits that research provides for the US and for AID countries, but there is little room for AID staff to recognize those as direct outcomes in the Agency’s current programming guidelines.

Despite the less-than-promising outlook for the Title XII structure at AID, there are a steps that have been proposed by interviewees that should be considered:

1. The Administrator can become personally engaged with the challenges set out in Title XII. Participation in BIFAD meetings and enhancing the status of a Presidentially-appointed Board would be a crucial step. Providing access by BIFAD staff to the Administrator would send a strong signal. The Administrator and BIFAD Chair could re-visit the 1981 Memorandum and update it to reflect current priorities and pressures on the Agency as well as capabilities of the university community and its partners. Lessons from the private sector show that corporations only take R&D seriously when that investment is set by the CEO, not within lower, short-term oriented business units of the corporation.
2. Scientific leadership at the Agency can be strengthened. While there has been a consideration of the needs of agricultural research through appointment of a Senior Agricultural Science Advisor, there is a broader need for attention to research and science throughout the Agency programs. One proposal has been to appoint a Science Advisor to the Administrator, just as the Secretary of State has a Science Advisor. In either or both cases, the person would be highly distinguished, command automatic respect inside and outside the Agency, and foster a culture of excellence in the Agency in its research endeavors.
3. More attention can be given to defining current development problems and challenges, and then educating the American public. Instead of fighting over the remnants of a world-leading and extensive program, the many stakeholders of AID's research programs could be educating those who influence the overall Development Assistance program about the needs and opportunities in today's world. The perceptions of the world's food security, agriculture and nutrition by the American public are shaped overwhelmingly by sound bite anecdotes. The Agency and the universities should agree on a strong public education effort. BIFAD could take the lead, away from an annual printed report that comes out two years later and a website that is missing essential elements, and plugging into the media where Americans shape their views.
4. Build a new partnership between AID and the universities that does not have the CRSPs as the defining structure. They have now been in place for 30 years, and most perceptions of the CRSPs by those inside and outside the Agency are determined by anecdotal experience, sometimes for good and often for ill. A new relationship based on trust can be established, although not overnight, that builds on each other's work and perspectives, that motivates increasing commitment, and attracts the involvement of other organizations. That which is positive and relevant in the CRSP activities for today's challenges could be captured in new mechanisms. The Agency has shown itself capable of significant change in programming modes – witness the growing Global Development Alliance (GDA) – when senior leadership is engaged.
5. Broaden the base of Title XII activities in the Agency organizationally. This cannot be done as long as the Agency support for BIFAD and Title XII is buried in one office of a central bureau. If not located in the Administrator's office, as the GDA alliance is, then the BIFAD support staff could be in PPC, and able to speak for the

- Administrator across all bureaus. The implementation of existing Agency policies on Title XII is likeliest to happen only if PPC is given the direction and authority to do so. Access to the regional bureau Assistant Administrators on a regular basis and their technical staffs would build an understanding of the potential from university-based programming that is not achievable in today's organization.
6. Strengthen the role of agriculture (as redefined in the 2000 Act) in the overall priorities of the Agency. The severe shrinkage of Backstop 10 in the Agency's overall personnel levels has quietly eroded the ability at the staff level to launch and carry out more agricultural activities. It would be unlikely that reliance on a "business incentives" model where missions buy into large central contracts will yield many new activities absent a larger career incentive structure where a focus on agriculture promotes successful careers. Once again, providing an accepted context for assessing the importance of agriculture among all development sectors is a responsibility for the Administrator and PPC.
  7. The stakeholders inside and outside AID need to get on message, for the rest of the people who don't know enough to share their vision. Much could be accomplished by re-emphasizing the message that AID put out in 2002:

Where will agricultural technology come from to feed the additional 3 billion people expected in the next 50 years? There is an obvious role for the United States in answering this question. First, U.S. leadership can help in restoring budgets of the agricultural research system—and can bring other donors back to the table. Second, our university system is the best in the world at training scientists in basic biology and applied agricultural fields. We have an opportunity to provide the next generation of these scientists for the entire world. Third, we can press for reducing the destructive effect on poor countries of agricultural policies of the industrial countries.<sup>15</sup>

Unless the official development community works better with partners, both traditional and new, many development opportunities will be wasted. Too much is at stake in all this. We have to ensure that these themes suffuse the future of foreign assistance—all in the national interest.<sup>16</sup>

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<sup>15</sup> *Foreign Aid in the National Interest*, p. 15.

<sup>16</sup> Foreword by the Administrator, *Foreign Aid in the National Interest*, p. v.